

TOWN OF BIRCH HILLS

BYLAW NO. 16-2022

A BYLAW TO PROVIDE FOR THE COLLECTION OF WASTE AND OTHER REFUSE WITHIN THE TOWN OF BIRCH HILLS

The Council of the Town of Birch Hills, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE

1. This bylaw shall be referred to as the "Waste Collection Bylaw".

DEFINITIONS

2. In this bylaw:
 - a) "Bulky Waste" means solid waste whose individual piece weight exceeds twenty-three (23 kg) kilograms or whose longest dimensions exceed one hundred and twenty (120 cm) centimeters;
 - b) "Commercial Location" means all real property located in the Municipality which is not a residential dwelling location;
 - c) "Commercial Waste" means waste produced or generated on a commercial location;
 - d) "Construction and Demolition Waste" means all waste materials from excavation, building construction, building repair or alteration, debris from any building removed, destroyed by fire or any other cause;
 - e) "Residential Dwelling Unit" means:
 - i) Any single building situated on real property for which a separate certificate of title has been issued and which is principally used as a single-family dwelling unit;
 - ii) Any townhouse, condominium, or row housing units;
 - f) "Municipality" means the Town of Birch Hills.
 - g) "Occupant" means a person, who, alone or with others, is in charge of or possession of a premises.
 - h) "Owner" means a person who is the legal or beneficial owner of a premise.
 - i) "Residential Collectable Waste" means waste produced or generated on a residential dwelling location but does not include residential non-collectable waste.
 - j) "Residential Non-Collectable Waste" means waste produced or generated on a residential dwelling location from vegetation grown on the residential dwelling location, construction and demolition waste and bulky waste.

GENERAL REGULATIONS

3. The municipality shall set fees for the pickup of waste material and recycling material within the municipality.
4. Council of the Town of Birch Hills shall review the waste management fees annually, and shall amend the waste management fees from time to time as needed.
5. All residential properties shall be provided with one residential garbage bin and one single stream recycling bin.
6. Residential properties requiring additional garbage bins or recycling bins shall be billed accordingly.
7. Garbage will be picked up on Wednesdays on a bi-weekly basis from September through May, and on a weekly basis from June through August (schedules to be distributed annually); and Recyclables on Tuesdays on a bi-weekly basis.
8. Compost/garden refuse/branches will be picked up during the summer season by the Town crew once a month on the first Wednesday of every month (weather dependant).
9. The waste management fee shall be billed monthly on the water and sewer utility billing and is due when rendered. A penalty of 3% per month will be charged on any unpaid amounts on the last day of the month following the billing month.

10. In the case of commercial pickup, businesses may individually choose to opt out of the waste program that is provided by the Town, either garbage or both garbage and recycle, on the condition that the waste is picked up on a regular basis and hauled to a certified landfill outside of the Town of Birch Hills.
11. Commercial Waste and residential non-collectable waste in the Municipality may be collected by the owner or occupant of the property on which such commercial waste or residential non-collectable waste was produced or generated, or by an employee of the Municipality, or by any person or corporation who has contracted with the owner or occupant of the real property on which such commercial waste or residential non-collectable waste was produced or generated.
12. Each residential premises will be provided with a garbage cart, at no charge to the resident.
13. Except as otherwise provided in this Bylaw, no person shall place waste from a premise elsewhere than in receptacle that comply with the requirements of this Bylaw.
14. A person requesting additional receptacles must contact the Town directly.
15. All residential collectable waste and recyclable material shall be placed in proper receptacles adjacent to the curb in front of the residence.
 - a. The owner or occupant of the premises shall place all receptacles out for collection by 7:00am on the morning of collection day, and return them to their usual storage place on the day of collection.
 - b. The owner or occupant of a premises from which waste is to be collected shall place the cart with wheels against, or as close as possible to the curb, or in front of a snow bank. Carts must not be placed on the sidewalk or on a snow bank.
 - c. Carts must be placed a minimum of 3 feet from a parked vehicle.
 - d. All waste must be contained inside the cart, with the lid properly closed.
 - e. No person shall place any explosive or highly flammable waste in any receptacle for collection.
 - f. No person shall place for collection or bundle, package or other material beside a waste receptacle.
16. Where a commercial container is used, it must be placed on firm, level ground and be accessible for collection and disposal by the Container Waste Collection Contractor.
17. The Town of Birch Hills will not provide collection for any of the following or similar items, unless a special town-wide collection is authorized by Council:
 - a. Discarded furniture, discarded automobile parts, including tires, and other private vehicles and household equipment.
 - b. Fences, gates and other permanent and semi-permanent fixtures on the premises.
 - c. Building materials and building waste.
 - d. Dead animals.
 - e. Hazardous waste.
 - f. Dirt, rocks, cement, bricks and tires.
18. Any person carrying out the construction or alteration of any building or structure shall:
 - a. Be responsible for the disposal of all refuse resulting from the construction or alteration;
 - b. Place all refuse and litter into a suitable container as to prevent it from blowing around;
 - c. On completion of the construction or alteration, clear the grounds on which the construction or alteration was made.
19. Penalty:
 - a. Any person who contravenes any provision of Section 17 of this bylaw is guilty of an offense and liable on summary conviction to a fine:
 - i. For the first offence, of \$100.00;
 - ii. For a second offence, of \$200.00; and
 - iii. Notwithstanding subsection (i) and (ii) of this section, where an officer issues a summary ticket for a violation of this Bylaw, that officer may enter on the ticket the amount of \$100.00 or \$200.00 for a second offence, which, if paid within the time prescribed, will be accepted a guilty plea to that offence.

20. General Penalty:

- a. Any person who contravenes, neglects, omits or fails to comply with any provisions of this Bylaw is guilty of an offence and liable on summary conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00) for individuals, or Five Thousand Dollars (\$5,000.00) for businesses.
- b. Any person who contravenes, neglects, omits or fails to comply with any provisions of this Bylaw is guilty of an offense and liable on summary conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00) for individuals, or Five Thousand Dollars (\$5000.00) for corporations.
- c. Where a contravention, refusal, neglect, omission or failure to comply for more than one (1) day, the person is guilty of a separate offence for each day that it continues.
- d. The payment of fines and penalties shall not relieve the person from compliance with this Bylaw and shall not relieve the person from the payment of any rates, charges, expenses otherwise payable or from the discontinuance of services herein provided for.

21. Bylaw No. 08-2016 is hereby repealed.

22. This bylaw shall come into force on the date of its final passing.

Read a 1st time and

approved as presented on Sept 1/22.

Read 2nd second time and

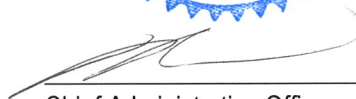
approved as presented on Sept 1/22.

Read a 3rd time and

adopted this Sept 1/22.



Mayor



Chief Administrative Officer